

We claim:

- 1 1. A method of transmitting data comprising the steps of:  
2 determining a first data rate based on a measured first channel condition at a  
3 receiver to which data transmission is intended;  
4 performing a first data transmission at the first data rate;  
5 determining a second data rate based on a measured second channel condition at  
6 the receiver if the first data transmission was not successfully received by the receiver;  
7 and  
8 performing a second data transmission at the second data rate, wherein the  
9 second data transmission is a re-transmission of the first data transmission.
- 1 2. The method of claim 1, wherein the first and second data transmissions are identical.
- 1 3. The method of claim 1, wherein the first data transmission may be soft combined with the  
2 second data transmission.
- 1 4. The method of claim 1 comprising the additional step of:  
2 receiving, prior to the step of determining the first data rate, a rate indication  
3 message indicating the first data rate for the receiver.
- 1 5. The method of claim 1 comprising the additional step of:  
2 receiving, after the step of determining the first data rate and prior to the step of  
3 determining the second data rate, a rate indication message indicating the second data rate  
4 for the receiver.
- 1 6. The method of claim 1, wherein the first data rate is a higher data rate than a data rate  
2 indicated in a received rate indication message.
- 1 7. The method of claim 1, wherein the second data rate is a higher data rate than a data rate  
2 indicated in a received rate indication message.
- 1 8. The method of claim 1 comprising the additional step of:  
2 receiving, prior to the step of determining the first data rate, a plurality of rate  
3 indication messages indicating the data rates for a plurality of receivers.

- 1 9. The method of claim 8 comprising the additional step of:  
2 selecting a receiver from the plurality of receivers to which to transmit data using  
3 the received plurality of rate indication messages.
- 1 10. The method of claim 9, wherein the selected receiver is a receiver associated with a rate  
2 indication message indicating a highest data rate.
- 1 11. A method of receiving a data transmission comprising the steps of:  
2 receiving at a receiver a first data transmission at a first data rate, wherein the  
3 first data rate is determined using a measured first channel condition; and  
4 transmitting a rate indication message indicating a measured second channel  
5 condition if the first data transmission was not successfully received at the receiver; and  
6 receiving a second data transmission at a second data rate, wherein the second  
7 data rate is determined using the measured second channel condition.
- 1 12. The method of claim 11 comprising the additional step of:  
2 storing the received first data transmission if the first data transmission was not  
3 successfully received at the receiver.
- 1 13. The method of claim 12 comprising the additional step of:  
2 soft combining the stored received first data transmission with the received  
3 second data transmission.